

CHILD CARE LICENSING ADVISORY COMMITTEE MINUTES

13 January 2011

Cannon Health Building, 288 North 1460 West, Room 125

Salt Lake City, Utah

Members Present: David Rothschild, Ed Dieringer, Pat Marino, Diane Wilkinson and Heidi Radeke

Members Excused: Julie Shakib, Dale Smith, Carol Thompson, Leslie Hjorth, Joni Hemond, Michael Libeck, Jodie Jensen and Carolyn Miller

Department of Health and Child Care Licensing Staff Present: Teresa Whiting, Simon Bolivar, Karrie Phillips, Joyce Hasting, Sue Kirkham and Sherri Lizotte

WELCOME

Mr. Rothschild began the meeting at 9:30 am. The minutes from the last Child Care Licensing Advisory Committee meeting on November 18, 2010 were approved by the committee on January 12, 2011 via email and are posted on the Child Care Licensing website at: www.health.utah.gov/licensing.

OLD BUSINESS

Continuation of Discussion on Proposed New Formula for Mixed Age Group Rules for Centers and Proposed Center Rule Revisions

Ms. Whiting presented a new option that addresses the problems with the current formula for calculating mixed age ratios in centers. Members of the committees who are center owners agreed to take the new option back and review it for discussion at the next meeting.

Continuation of Discussion About Recommendation for Ineligibility for QRIS

Mr. Bolivar presented the chart from Child Care Licensing for noncompliance levels and finding categories, and clarified that all providers have a 30 day appeal period from the date of issue for any finding, civil money penalty (CMP) or for a conditional license, so there would be no consequence for QRIS until after the appeal period has passed.

Mr. Bolivar suggested that licensing actions that would affect a provider's QRIS rating should be any level one cited findings, civil money penalties or a conditional license.

Mr Marino stated that in states with voluntary participation, with no monetary benefits, the

participation rate for this type of program is very low. Mr. Marino would like to see when a cited finding is fixed that would mean that it is fixed and it would not take you out of participation in the QRIS program.

Mr. Bolivar stated that a level one cited finding is a high harm finding, and that it would be important to know that a provider maintained compliance with the rule before acknowledging them for going above and beyond the rules.

Ms. Whiting asked if the committee would prefer that only civil money penalties and conditional licenses affect the QRIS program.

Mr. Marino stated that he does not want anyone to enter into the QRIS program from a punitive position because facilities will not participate. He wants a QRIS program that will show and help facilities in their efforts to build a quality daycare program and not be punitive toward facilities.

Mr. Bolivar stated that some of reasons the QRIS systems have had low participation from facilities are lack of monetary benefits or incentives to facilities to participate, and the public not being aware that there is a QRIS program available in their state.

Ms. Radeke stated that in 2005 and 2006 there were revisions to the home provider rules that included rationale and an interpretation manual which made the rules much easier to use and understand. Ms. Radeke stated that the rules are used as the licensing basis for determining the quality of a provider. Ms. Whiting stated that when looking at the three noncompliance levels the question wasn't the quality of the program, but the potential harm to a child, including how serious the harm to a child could be as well as how likely a child would be harmed.

Mr. Dieringer stated that the basic standard to operate as a facility is a facility being in compliance with the Child Care Licensing rules and that the QRIS system would be above that baseline and that if a facility chooses to be on the QRIS system, then they would be a facility that is choosing to go beyond a basic compliance bar, they are choosing to improve and run a true quality program.

Mr. Rothschild requested that Mr. Matherly give the update on QRIS and the committee moved on to new business.

NEW BUSINESS

Update on QRIS - Steve Matherly

Mr. Matherly gave an update on the work of the OCC QRIS Committee. He explained the role of the Health & Safety icon in the proposed QRIS system. He also explained that the

federal Office of Child Care will require us to report on elements of our state's QRIS system as a condition of receiving the federal CCDF funding.

Mr. Matherly explained that an advertising campaign has been secured so that there will be public awareness that a QRIS system is available. He also explained that the Child Care Licensing database and the Child Care Resource and Referral database will communicate with each other and the QRIS system will be tied to both of these databases. Mr. Matherly had a handout available to the committee members that showed an idea for the public to see when they enter the system to search a provider and that they feel this system will be easy to navigate. Mr. Matherly stated that the QRIS subcommittee is now working on what the indicators will be to receive the icons that are available. Mr. Matherly stated that the QRIS system is not meant to be punitive or costly and that it is to be an information system for parents and that it would allow facilities to promote their businesses.

Mr. Anderson with the Utah Private Child Care Association inquired the cost of QRIS verification and having licensors verify compliance since that system is already in place. Mr. Matherly outlined a plan to have some QRIS criteria verified by currently existing CCR&R CDA consultants.

The committee and the members of the public attending the meeting further discussed what level of licensing noncompliance should result in a provider's temporary ineligibility for QRIS participation.

Ms. Whiting stated that if we are tying the time frames into the inspection cycle a provider has an inspection approximately every six months. Ms. Whiting stated that in terms of a time frame Child Care Licensing would suggest a six month time frame or until the next regular inspection whichever is longer in order to either enter QRIS visibility or to return to QRIS visibility.

Mr. Anderson, with the Utah Private Child Care Association, expressed the view that once something is corrected, then it should be considered corrected and that QRIS does not need punitive measures.

Mr. Rothschild requested that Mr. Matherly take the ideas from this discussion to the next QRIS subcommittee meeting.

Mr. Matherly stated that he would take the items from this discussion to the next QRIS subcommittee meeting and will come back to the next Child Care Advisory meeting with a report on where the QRIS system is in the process of development.

PUBLIC COMMENTS

Ms. Wilkinson stated that a child care provider contacted her to ask if the new rules could

show which rules have been revised and redone as this would be helpful to providers.

Ms. Phillips, with Child Care Licensing, stated that the rules that have changed are being gone over at the Interpretation Manual training that is being offered.

Ms. Whiting stated that Child Care Licensing does have a document that was filed for public comment which shows the changes to the rules and that document could be put on the Child Care Licensing website. Ms. Whiting also reminded everyone that there will be Rule Interpretation Manual training that will be offered every year.

The next Child Care Licensing Advisory Committee meeting will be on March 10, 2011 from 9:30 a.m. to 12:00 p.m. at the Cannon Health Building, located at 288 North 1460 West, Salt Lake City in room 125.

The meeting was adjourned at 11.24 am.